

16138 U.S. PTO
012804

PATENT
Docket 4424/4526

17548 U.S. PTO
10/766374

012804

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application:

In Re Patent Application Of:

Applicant: Shau-Lin F. Chen

Serial No.: 09/834,505

Date Filed: 13 April 2001

Title: LAYERED SOX TOLERANT NOX TRAP CATALYSTS
AND METHODS OF MAKING AND USING THE SAME

Art Unit: 1754

Examiner: Timothy Vanoy

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CONTINUATION APPLICATION FILING REQUEST TRANSMITTAL
PURSUANT TO 37 C.F.R. SECTION 1.53(B)**

Dear Sir

This is a request for a patent application (continuation, divisional, or continuation-in-part) filing pursuant to the continuing prosecution application procedure in accord with 37 C.F.R. Section 1.53(b). A continuation or divisional application that names as inventors the same or fewer than all of the inventors named in the prior application may be filed under this paragraph or paragraph (d) of this section. A continuation-in-part application (which may disclose and claim subject matter not disclosed in the prior application) or a continuation or divisional application naming an inventor not named in the prior application must be filed under this paragraph.

CERTIFICATION UNDER 37 C.F.R. SECTION 1.10

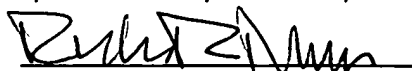
"Express Mail" mailing label number EU 8580 10992US

Date of Deposit 28th Jan 04

I hereby certify that this New Application Transmittal, and the documents referred to as enclosed, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 C.F.R. Section 1.10 on the date set out above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Richard R. Muccino

(typed name of person mailing papers)



(signature of person mailing papers)

Prior Application:
Shau-Lin F. Chen
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1. TYPE OF APPLICATION

This application is for a

☐ Continuation
☒ Divisional
☐ Continuation-in-part

of application serial no. 09/834,505, filed 13 April 2001, and entitled (as originally filed or as last amended)

LAYERED SOX TOLERANT NOX TRAP CATALYSTS AND METHODS OF MAKING AND USING THE SAME

in the names of the following inventor(s) having the current correspondence addresses (as originally filed or as last amended)

Inventor: Shau-Lin Frank Chen
Citizenship: United States
Post Office Address
and Residence: 12 Ambrose Valley Lane, Piscataway, NJ 08854

Secrecy pursuant to 35 U.S. Section 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. Section 1.53(d) application, be it either this application or a parent application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

2. INVENTORSHIP STATEMENT

☒ (a) This application discloses and claims only subject matter disclosed in the parent application set out above. The inventors in this application are:

☒ The same as those in the parent application.
☐ More than those named in the parent application.
☐ Kindly add the following inventor(s):
(Newly Executed Oath or Declaration enclosed)

- ☐ (b) This application discloses and claims additional subject matter. A new declaration or oath is filed herewith. The inventors in this application are:
☐ The same as those in the parent application.
☐ More than those named in the parent application.
☐ Kindly add the following inventors:

- ☒ (c) The inventorship for all the claims in this application are:
☒ The same.
☐ Are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.
☐ will be submitted.

3. DOCUMENTS ENCLOSED PURSUANT TO 37 C.F.R. SECTION 1.53(b)

- ☒ Copy of specification and claims that contains
☒ no new matter.
☐ new matter.
☒ Declaration or Oath
Continuation or Divisional.
☒ Copy of Oath or Declaration submitted in the prior application.
☐ Newly Executed Oath or Declaration.
Continuation-in-part.
☐ Newly Executed Declaration or Oath.

4. ADDITIONAL PAPERS ENCLOSED

- ☐ Information Disclosure Statement.
☐ Form PTO-1449.
☐ References.
☐ Declaration of Biological Deposit.
☐ Special Comments.
☐ Assignment.
☐ Small Entity Statement.
☒ Express Mail Certification (part of this transmittal letter).
☒ Two (2) stamped return-addressed postcards.
☒ Credit Card Form in the amount of \$770.00 calculated as set forth below.
☐ Other.

5. POWER OF ATTORNEY

The power of attorney in the parent application is to

Raymond F. Keller, Reg. No. 28,960
Richard A. Negin, Reg. No. 28,649
Richard R. Muccino Reg. No. 32,538

 X The power of attorney appears in the original papers in the parent application.

 The power of attorney does not appear in the original papers in the parent application, but was filed on .

 A new power of attorney has been executed and is filed herewith.

 X Kindly direct future communications to:

Chief Patent Counsel
Engelhard Corporation
101 Wood Avenue - P.O. Box 770
Iselin, New Jersey 08830-0770
Telephone (732) 205-6241

6. ASSIGNMENT

 X The parent application is assigned of record to

Engelhard Corporation
101 Wood Avenue
Iselin, New Jersey 08830-0770

Recordation date of 29 May 2001 at Reel/Frame 011843/0337

 An assignment of the invention to:

 Is enclosed (stapled to a copy of this letter).
 Will follow.

Prior Application:
Shau-Lin F. Chen
Serial No. 09/834,505
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7. PRIORITY BENEFIT UNDER 35 U.S.C. SECTION 119

Foreign priority benefits under 35 U. S. C. Section 119 are claimed from the foreign application(s) for patent or inventor's certificate listed below.

Prior Foreign Application(s)

| Application Number | Country | Filing Date | Priority Claimed |
|--------------------|---------|-------------|------------------|
| | | | |
| | | | |
| | | | |
| | | | |

_____ The certified copy from which priority is claimed under 35 U.S.C. 119 has been filed in the parent application.

_____ The certified copy will follow.

8. PRIORITY BENEFIT UNDER 35 U.S.C. SECTION 120

 X Kindly amend the specification by inserting before the first line the following sentence:

"This is a

_____ continuation

 X divisional

of application serial no. 09/834,505, filed 13 April 2001."

9. MAINTENANCE OF COPENDENCY OF PRIOR APPLICATION

_____ The time for response, without the filing of a petition for extension of time, in the pending parent application is -----.

_____ A petition for a ----- (-) month extension of time, the fee, and a response has been filed in the pending parent application to extend the term until ----- A copy of the petition for extension of time filed in the pending parent application is attached.

 X The parent application has been allowed but has not issued. No petition is necessary.

10. ABANDONMENT OF PRIOR APPLICATION.

☒ Please do not abandon the parent United States application(s) referred to above.

☐ Please abandon the parent United States application(s) referred to above at a time while the parent application is pending or when the petition for extension of time in that application is granted and when this application is granted a filing date so as to make this application copending with the parent application. At the same time, please add the words "now abandoned" to the amendment to the specification set forth in Section 7 above.

11. CLAIMS FOR FURTHER PROSECUTION

☒ The fees to be charged are based on the number of claims remaining in the application as a result of:

☐ The claims on file in the parent application.

☐ The claims in the unentered amendment filed under 37 C.F.R. Section 1.116 in the parent application and now resubmitted for reconsideration.

☒ The attached Preliminary Amendment.

12. FEE PAYMENT BEING MADE AT THIS TIME

☐ No filing fee is enclosed.

☒ The filing fee is enclosed.

☒ Basic filing fee. \$ 770.00

☐ Recording Assignment fee.
(\$40.00; 37 C.F.R. Section 1.21(h)(1)) \$

☐ Petition fee for filing by other than all
the inventors or person on behalf of
the inventor where inventor refused or
cannot be reached.
(\$140.00; 37 C.F.R. Sections 1.47 and 1.17(h)).
\$

☐ For Processing an application with a
specification in non-English language.
((\$26.00; 37 C.F.R. Sections 1.52(d)
and 1.17(k)). \$

TOTAL FEES ENCLOSED \$ 770.00

13. METHOD OF PAYMENT OF FEES

☒ Credit Card Payment Form in the amount of \$ 770.00 is enclosed.

☐ Charge Deposit Account 18-1843 in the amount of \$.

14. AUTHORIZATION TO CHARGE ADDITIONAL FEES

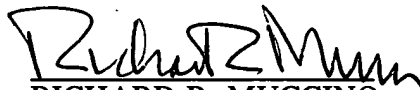
☒ The Commissioner is hereby authorized to charge all fees required during the entire pendency of this application except the issue fee to Deposit Account 18-1843.

15. INSTRUCTIONS REGARDING OVERPAYMENT

☒ Credit any overpayment to Deposit Account 18-1843.

☐ Refund.

(A duplicate of this transmittal letter is attached.)



RICHARD R. MUCCINO
Attorney For Applicant(s)
Registration Number 32,538

Please forward correspondence to:

Richard R. Muccino
758 Springfield Avenue
Summit, New Jersey 07901
(908) 273-4988
Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 770.00)

C mplete if Known

Application Number

Filing Date

First Named Inventor

Shau-Lin Chen

Examiner Name

Timothy Vanoy

Art Unit

1754

Attorney Docket No.

4424/4526Div

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit Account Number
Deposit Account Name

18-1843

Engelhard

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|------------------------|-------------|
| | | 1001 | 750 | Utility filing fee | 770.00 |
| | | 1002 | 330 | Design filing fee | |
| | | 1003 | 520 | Plant filing fee | |
| | | 1004 | 750 | Reissue filing fee | |
| | | 1005 | 160 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | (\$ 770.00) |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 20 | -20** = 0 | X | 0 |
| 3 | -3** = 0 | X | 0 |
| Multiple Dependent | | | 0 |

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description |
|--------------|--------------|----------|----------|--|
| 1202 | 2202 | 18 | 9 | Claims in excess of 20 |
| 1201 | 2201 | 84 | 42 | Independent claims in excess of 3 |
| 1203 | 2203 | 280 | 140 | Multiple dependent claim, if not paid |
| 1204 | 2204 | 84 | 42 | ** Reissue independent claims over original patent |
| 1205 | 2205 | 18 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|--|----------|
| 1051 | 2051 | 130 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 2052 | 50 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 1053 | 130 | 130 | Non-English specification | |
| 1812 | 1812 | 2,520 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 1804 | 920* | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1805 | 1,840* | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 2251 | 110 | 55 | Extension for reply within first month | |
| 1252 | 2252 | 410 | 205 | Extension for reply within second month | |
| 1253 | 2253 | 930 | 465 | Extension for reply within third month | |
| 1254 | 2254 | 1,450 | 725 | Extension for reply within fourth month | |
| 1255 | 2255 | 1,970 | 985 | Extension for reply within fifth month | |
| 1401 | 2401 | 320 | 160 | Notice of Appeal | |
| 1402 | 2402 | 320 | 160 | Filing a brief in support of an appeal | |
| 1403 | 2403 | 280 | 140 | Request for oral hearing | |
| 1451 | 1451 | 1,510 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 2452 | 110 | 55 | Petition to revive - unavoidable | |
| 1453 | 2453 | 1,300 | 650 | Petition to revive - unintentional | |
| 1501 | 2501 | 1,300 | 650 | Utility issue fee (or reissue) | |
| 1502 | 2502 | 470 | 235 | Design issue fee | |
| 1503 | 2503 | 630 | 315 | Plant issue fee | |
| 1460 | 1460 | 130 | 130 | Petitions to the Commissioner | |
| 1807 | 1807 | 50 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 1806 | 180 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 8021 | 40 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 2809 | 750 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 2810 | 750 | 375 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 2801 | 750 | 375 | Request for Continued Examination (RCE) | |
| 1802 | 1802 | 900 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

SUBMITTED BY

| | | | | | |
|-------------------|---------------------------|-----------------------------------|-----------|-----------|--------------|
| Name (Print/Type) | Richard R. Muccino | Registration No. (Attorney/Agent) | 32,538 | Telephone | 908-273-2988 |
| Signature | <i>Richard R. Muccino</i> | Date | 28 Jan 04 | | |

WARNING: Information in this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.